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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
10

11 SHAWN HAWK,

No. 2:04-cv-00731-MCE-CMK-P

12 Plaintiff,

13 vs.

ORDER

14 COOK, et al.,

15 Defendants.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42
18 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern
19 District of California local rules.

20 On January 14, 2008, the magistrate judge filed findings and recommendations herein
21 which were served on the parties and which contained notice that any objections to the findings
22 and recommendations were to be filed within 20 days. No objections to the findings and
23 recommendations have been filed.

24 The court has reviewed the file and finds the findings and recommendations to be
25 supported by the record and by the magistrate judge's analysis.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed January 14, 2008, are adopted in full;

3 2. Plaintiff's equal protection claim be dismissed; and

4 3. This action shall proceed only on the fourth amended complaint as to plaintiff's
5 due process and Eighth Amendment claims against defendants Ingwerson, Cook, Swartz, and
6 Chettam.

7 Dated: March 4, 2008

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9 MORRISON C. ENGLAND, JR.
10 UNITED STATES DISTRICT JUDGE
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